



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

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Minutes of the **TWO HUNDRED AND EIGHTY THIRD MEETING of the COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 8th July, 2019 at 7.00 pm

PRESENT:	Mr K Bool	Mr J Dale
	Mr O Hemsley	Mr G Brown
	Mrs L Stephenson	Mr A Walters
	Mr D Wilby	Mr P Ainsley
	Mr E Baines	Mr N Begy
	Mr D Blanksby	Mr A Brown
	Ms J Burrows	Mr W Cross
	Mrs J Fox	Mrs S Harvey
	Miss M Jones	Mr A Lowe
	Ms A MacCartney	Mr M Oxley
	Ms K Payne	Mrs R Powell
	Mr I Razzell	Miss G Waller
	Mrs S Webb	Mr N Woodley

OFFICERS	Mr M Andrews	Strategic Director for People
PRESENT:	Mrs H Briggs	Chief Executive
	Mrs H Bremner	Communications Manager
	Mr S Della Rocca	Strategic Director for Resources
	Mr P Horsfield	Deputy Director Corporate Governance (Monitoring Officer)
	Mrs N Taylor	Governance Manager
	Mrs J Morley	Governance Officer

95 APOLOGIES

There were no apologies.

96 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that the list of engagements and those of the Vice Chairman had already been circulated.

The Chairman announced that Mr Robert Wills, a successful local Uppingham businessman for many years and also involved in Uppingham First, had unfortunately passed away at the weekend. The Chairman also announced the death of the wife of Councillor O'Shea, outgoing Chairman of Leicestershire County Council. Condolences would be sent to the families on behalf of the Council.

The Chairman also mentioned the LLR Rutland Schools Championships, which were held on 28 June 2019 and hosted by Uppingham School, noting that there was a huge amount of talent coming through the junior ranks of athletics.

The Chairman also met with the Oakham in Bloom judges on 4 July and was looking forward to hearing their deliberations. Uppingham in Bloom would be judged this week.

97 ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE

The Leader provided a summary from the Local Government Association (LGA) Annual Conference which he had attended with the Deputy Leader and Chief Executive last week. Presentations were heard from James Brokenshire, Mark Carney, Boris Johnson, Jeremy Hunt and others and they visited stands which covered many aspects of Local Government. They met with the LGA to continue to plan for the peer review which would take place week commencing 30 September 2019. They spoke to other Leaders and had discussions on HS2, the fairer funding review, adult and social care and climate change. Councillor Hemsley expressed that they would welcome a motion on climate change coming to the next council meeting and was pleased to hear that the Growth, Infrastructure and Resources Scrutiny Committee would also be looking at this important topic.

The Chief Executive made a statement regarding Mr Christopher Parsons who had not met the deadline to formally accept his position as a County Councillor following the recent Local Government Elections. As such a notice of vacancy would be published for the Ryhall and Casterton Ward on 9 July 2019.

98 DECLARATIONS OF INTEREST

No declarations of interest were received.

99 MINUTES OF PREVIOUS MEETING

The Minutes of the 281st meeting of the Rutland County Council District Council held on 11 March 2019 were confirmed by the Council and signed by the Chairman.

The Minutes of the 282nd meeting and 23rd Annual meeting of the Rutland County Council District Council held on 13 May 2019 were confirmed by the Council and signed by the Chairman.

100 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

- i. The following deputation was presented by Mr C Bacon on behalf of the Council to Protect Rural England:

Good evening Ladies and Gentlemen,

The purpose of my deputation this evening is to report to you the professional opinion of the Head of Land Use and Planning at CPRE (Campaign to Protect Rural England), on the matter of the St George's proposals for development. This deputation has the

endorsement of the Chairman of CPRE Rutland, who is unable to be here this evening to present it himself.

During recent months a number of Parish Councils have written to Sir Alan Duncan asking for his support and intervention with the Ministry of Defence to secure a significant reduction in the scale of their plans to develop the St. George's Barracks site. Sir Alan has replied by saying that he supports Rutland County Council in pursuing their Memorandum of Understanding with the MOD and that, if RCC did not continue to work closely with the MOD, even more houses would be built on St. George's. He cites the example of the Prince William of Gloucester Barracks at Grantham, where a larger development is planned and where the Local Authority has declined to work in collaboration with the MOD. It seems to us that Sir Alan is supporting the ambitions of the MoD rather than the significant weight of local opinion regarding St George's, and that this should be a matter of concern to all in the county.

Some of Sir Alan's letters to his constituents have been passed on to CPRE Rutland asking for our advice. CPRE Rutland has sought advice from the Head of Land Use and Planning at National CPRE. This is the highest level of professional planning advice in CPRE nationally, and is a well-respected source of such advice, particularly in government circles. His advice is as follows:

We have a planning system for a reason, which is to enable the right development to be located in the places where it will most appropriately meet the needs of the community that needs it.

Rutland has an Adopted Local Plan that was prepared with and agreed by its community. The MoD's proposals should be assessed in the light of Rutland's existing housing need, which is low, and as a result of recent years of over-development, is already well exceeding the established need. The defining principles of development in Rutland are the vision and strategy expressed in the Adopted Local Plan (repeated in the Local Plan Review dated July 2017) and not the pecuniary interests of the Ministry of Defence. Therefore, the Local Communities and the Local Authority have no reason to be intimidated by our MP supporting a Government Department attempting to impose development which is not supported by either local or national planning policy, or, indeed, by local opinion.

Furthermore, if development (which isn't needed locally) goes ahead in this location, it means that development that should have happened somewhere else, e.g. in Rutland's existing towns, or other nearby places like Stamford, Corby or Peterborough (the latter two of which actually need regeneration), is likely to be reduced - hence homes and business premises will be provided at greater distances from where the real need is.

Fundamentally, this is not how planning should be done. Planning is community-led, not developer-/landowner-led, and especially not when led by the pecuniary interests of a government department in Whitehall.

Every case concerning the MOD's plans to dispose of and develop their sites is different and presents therefore different planning considerations. Prince William of Gloucester Barracks is a completely different kettle of fish since it is adjacent to the town (and significant sub regional service centre) of Grantham, arguably forms a reasonably sensible extension of the town, directly on the A52, with established bus services connecting to the town centre and London-Edinburgh mainline railway

station! It bears no comparison whatsoever with St Georges, which is remote from any such significant services.

The advice we have been given is to make sure that the residents of Rutland understand how the planning system should be supporting community wishes and to explain this to our MP, which we plan to do.

Questions from Members:

- Mr Woodley had read a statement from the Chief Executive of the CPRE regarding housing which indicated that a significant investment was required to meet our housing need. Mr Woodley asked Mr Bacon to clarify how this statement balanced with the content of his deputation. Mr Bacon responded that there was a distinction between the local housing need and the national housing need.

ii. The following deputation was provided by Mr P Cummings - concerned resident of North Luffenham:

Good Evening - I am Paul Cummings - I am making this deputation as a concerned resident of North Luffenham. I would wish this evening to raise a miscellany of points relating to the St George's Barracks Project.

Firstly, a word of praise to those Officers who found themselves with the daunting task of summarising the myriad of points raised by Industry, Town Councils, Parish Councils and Individuals regarding the specific consultation considering the implications of potential development of St George's within the Local Plan. With a total of over 1,500 responses received either directly or through an opinion poll/petition the Council must be prepared to take very seriously the issues raised through the consultation process.

The issues and questions raised through the consultation paper, and indeed the document itself, were hugely complex and many struggled to understand the language and the technical planning terms such as NPPF, in this Local Plan Review process. However, what was clear from the results, was that the vast majority of those responding to the proposals, found them at best unacceptable and at worst abhorrent.

An analysis of the findings contained in this comprehensive report shows that actually the public did have a far greater grasp of the issues than might have been expected and their responses were very well articulated - I congratulate those who strove to advise, publicise and educate. What is clear is that the fulsome objections raised were made by the majority of those communities that you represent. It is unfortunate that though the document is dated Mar 2018, the results of this consultation were not available until after the County Council Elections. The report confirms that opposition to the scheme is widespread, and comes not just from local residents but from communities further afield and indeed the building industry itself. Let me give you just a couple of quotations -

"DLP Planning for Larkfleet Homes questions the soundness of an approach that redistributes development to less sustainable locations and considers the trajectory of 100 dwellings per annum for St George's Barracks to be unrealistic and unachievable"

Hereward Homes is concerned about the deliverability of the site and considers that there is no evidence to support the expectation that there is a need for this many dwellings in a single location or that the market is strong enough to absorb the dwellings at such a rate.

If the building industry think this plan is 'ill-advised' - do you really think that as the County's representatives, you are well placed to know better.

The report is well presented and well laid out - I would urge you to read it in great detail before you consider the proposals being put forward to rewrite the Local Plan to accommodate St George's and maybe even more worrying, much more development in the County besides.

My second point relates to the ill-informed briefing given by the Secretary Of State in which he advised that a 2,200 home development was being delivered at St George's - what worth local democracy if Government can tell the public before the County Council have considered if St George's can be incorporated within the local plan. RCC's subsequent Press Statement, ignored by the Press provided much greater clarity and accuracy, however it would suggest that the Government intend to ride rough-shod over any objections that you might have.

Finally, may I comment upon the letter written in this week's Mercury by Catherine Davies the Defence Infrastructure Organisation's Head of Estates, in which she comments that:

"Much of the approach that has been taken in developing the St George's Evolving Masterplan thus far has broken new ground for the Ministry of Defence, particularly our commitment to work with Rutland County Council and local communities at the earliest conceivable stage

and

And we will continue to work closely with local communities and wider stakeholders"

We are now 18 months into this project and to date neither North Luffenham nor Edith Weston Parish Council have met with MoD or their agents - we have had one managed workshop session in Feb 18, at which MoD said nothing and a number of Advisory Board meetings at which the MoD's representatives, take an extraordinary 'hull down' profile and generally comment 'nothing to report'.

Questions from Members:

- Mr Baines asked Mr Cummings whether he had any further evidence of widespread concern within the County.
Mr Cummings highlighted that the report reflected widespread concerns from Parishes across the County apart from Oakham and Uppingham Town Councils which had provided feedback regarding the benefit to trade in their towns.
- iii. The following deputation was provided by Mr N Newton on behalf of the Parish Council Liaison Group:

In the last week there has been a plethora of apparently good news stories in the local and national press re the proposed redevelopment of St Georges Barracks (SGB).

Dementia friendly housing, grid pattern lay-out, 5500 people to be housed in a beautiful location, grants to provide expertise to ensure roses round every door etc.

The Parish Council Liaison Group would like to remind members that this is a site that is nowhere near having planning consent. For the new members in particular do not be fooled into thinking that drip fed snippets of apparently good news stories mean SGB is a given.

Councillor Brown in his recent letter to the Mercury set out what a Local Plan is, and how in the next few months careful consideration will be given to all sorts of arguments in the preparation of the upcoming Local Plan. The letter rather skated over the fact that Rutland already has a local plan. Dated 2011 and reviewed, widely consulted on and largely agreed in 2017. That review concluded that enough housing land supply was identified to meet Government targets of about 160 dwellings per year, without SGB. The review also continued the core strategy to guard against the over development of redundant military sites.

Unfortunately, at the same time as that review concluded, a small cabal had secretly agreed with the MOD to "jointly develop" their exact words, to jointly develop the site with between 1500 to 3000 houses. Inconveniently the site was not identified in the 2017 review, so it was ditched and another consultation exercise launched last August to include SGB, despite the houses not being needed. That consultation resulted in an unprecedented response and a massive no. We wait with bated breath how the August cabinet report will attempt to bat away the overwhelming anti response of Rutlanders.

More importantly as the Council was very publicly prepared to abandon its own policies to prevent over development, i.e. to ignore Government housing targets and ditch the core strategy regarding redundant military bases, others took their cue. What a surprise that the long-term owner of the Woolfox base decided now is the time to announce plans for up to 7000 houses in Rutland.

The 2017 review had widespread local support, as a new Council it is our view that you would do well to largely reinstate it.

Of course, something must be done with SGB, but a mixture of appropriate employment lead development, some rural re-installment and housing development on a Rutland scale would be our suggestion as a starting point. A huge modern housing estate with a quarry for a neighbour is not in keeping with Rutland's ambience.

The current proposal of 2315 houses has got nothing to do with what Rutland needs, the old Council meekly acquiesced to what the consultants to the MOD deem to be the most viable option for them. Perhaps the most chilling announcement in the press last week came from the MOD, in welcoming the recent grant award and looking forward to a successful infrastructure grant bid. If such a bid were not successful, and I quote verbatim "we would need to

reflect on how the current evolving masterplan might be adapted to ensure best value for the MOD and minimise costs for Homes England "...

So much for the spirit of cooperation trumpeted in the Memorandum of Understanding. When it comes to the sharp end the MOD will strive for every last penny, the sentiments in the MOU will be as much use as a chocolate tea spoon.

Do not allow yourselves to be bullied. A local plan analogous to the 2017 review is a powerful defence. We have a planning system which prioritises the wishes of local people. If it were so flimsy why would the old Council and the MOD go to so much trouble to ditch the 2017 review and try to put SGB into the plan.

Of course, Planning Inspectors can be leant on, but they have to preserve a modicum of professional integrity. A local plan which complies with Government housing targets, retains the existing core strategy re redundant military sites and emphasizes sustainability which SGB offends, is the option local people support.

Rutlanders responded loudly and clearly to the monstrosity of SGB, listen to them.

Questions from Members:

- Mr A Brown asked Mr Newton to expand on his reference to a "secret cabal". Mr Newton clarified by referring to the Memorandum of Understanding signed in 2017 with the MOD which he stated was not reported to Council, had not been subject to call-in and had missed the scrutiny process.
- Mr I Razzell asked for clarification on the statement that feedback had been received from large numbers of people, 1500 people had been stated as supporting the views in the deputation, but there were approximately 38000 people living Rutland.
Mr Newton highlighted that 38,000 population included "cradle to grave" and that the under 18's and others should be excluded, but that in his experience a response of 1500 to a Local Plan consultation was huge.
- Mr Begy asked Mr Newton to clarify his previous comment that the opinions of the under 18's was irrelevant.
Mr Newton responded that he assumed that anyone under the age of 18 would not have been able to respond to the consultation.
- Mr Cross asked Mr Newton if he felt that Councillors had taken on board the depth of feeling, concerns and work that had been put in by Parish Councils.
Mr Newton responded that he did not feel that their concerns had been taken on board and that he believed there had been a presupposition from the start to drive St Georges Barracks through and that there had not been a realistic debate about whether St Georges Barracks was needed.

101 QUESTIONS FROM MEMBERS OF THE COUNCIL

- i. Mr Baines

In view of the number of uncontested seats at both County and Parish level in the recent local elections is there anything the Leader can suggest to encourage more candidates to come forward?

Response provided by Mr Hemsley (Leader of the Council):

Thank you for the question it is a very pertinent one and one that has been at the fore front of the work we have done to encourage candidates to come forward.

RCC organised three prospective councillor events, two of the events were held on a Saturday in November 2018, well in advance of the election and another event was held in the evening in February 2019.

The main thing as a County Council we need to be promoting and encouraging young people to stand for council and I would not be here if I had not been told to stop moaning and get involved by one of our previous councillors.

These events were carefully designed to ensure that they were inclusive; provided information on all aspects of the councillor role (at both County and Parish level); gave insight into the day to day services provided by the Council as well as major projects being delivered. There was also the opportunity to hear from existing councillors who spoke from different perspectives about the role. Attendees were able to ask questions of both officers, members and a member of the LRALC specifically for parish matters.

A booklet was also produced to accompany these events, the Rutland County Council "Guide to becoming a County Councillor" which provided information about the Council, the locality, what it meant to be a councillor and what support would be provided.

The events were well publicised. A communications plan was developed to guide the events' promotion, and activity included:

- Issuing press releases to local media, resulting coverage in the Rutland Times and regular information communicated through Rutland Radio*
- Putting forward Councillors for interviews with local broadcast media, resulting in Councillor Begy undertaking an interview about his experiences as a Councillor.*
- Regular messaging through the Council's social media channels*
- Articles in the Council's e-newsletter*
- Advertising in the Rutland Times*

Details of the events were also circulated to Parish Councils, local political branches and posters were displayed in libraries, in the public gallery at council meetings and on notice boards in public areas in the council offices.

All individuals who expressed an interest in putting themselves forward at the May 2019 local elections were provided with guidance and support. There were two candidates briefing sessions in March 2019 to guide prospective candidates in completing nominations papers and to provide information on the process. In addition, the Elections Team were on hand to answer queries

throughout the nomination period and informal checks were also offered to all people submitting nominations forms.

It is clear that at a local level in Rutland there was significant focus on attracting and supporting individuals to be a councillor.

Looking towards the future it is clear that Councillors themselves are important promoters of the role and much has been done following the election to ensure that Rutland County Councillors who are new to the role feel supported through a comprehensive induction plan. We hope that Councillors will share their positive experiences of being a Councillor in Rutland and encourage more candidates to put themselves forward for the role at the next election.

The Council is also currently in the process of reviewing the current Members Allowance Scheme to bring the rate of allowances to a more realistic level in order to reflect the time commitments of the role and also to enable a more diverse group of people to become Councillors.

Mr Baines asked the following supplementary question:

Would the Leader support me in regretting and condemning the behaviour reported to me at the Local Elections in May where a group of candidates stood talking when approached by another candidate one was reported to say "there is an unpleasant smell around here" and turned and left. Such behaviour breaches the spirit of the code of conduct which we have all signed and deters prospective candidates from applying.

The Leader responded by agreeing that any unbecoming behaviour was unacceptable and he certainly would not condone it.

The Chief Executive also responded, highlighting that as Returning Officer no such incident had been reported to her, but that conduct at Polling Stations fell within her jurisdiction and in some cases could necessitate a complaint to the police. She invited Mr Baines to provide more information regarding this incident to her following the meeting.

ii. Mr A Brown

This Council has rightly appointed an Armed Forces Champion. Agriculture is the largest industry in Rutland historically and today with 75% of the area being actively farmed and managed. Agriculture and its ancillary industries support large numbers of workers and contribute big sums to the local economy. As we see from the make-up of this Council there are more farmers and people associated with farming around the table than any other industry. There will inevitably be turmoil and realignment in the farming industry due to Brexit and I believe this Council needs to promote and applaud the good work farmers do, not only providing food but also with all the conservation work they do (75% of the farmed area is managed in environmental schemes) Rutland is the beautiful place it is because of farmers looking after the land. Is it time for the Council to appoint a farming champion?

Response provided by Mr O Hemsley (Leader of the Council):

We have an Armed Forces Champion as it is part of the Armed Forces Covenant and they have a specific role to fulfil. Being a rural County, and as you mention, we have a large number of farmers and I believe that several County Councillors come from farming backgrounds, as I do. As a Council we meet regularly with several organisation such as the NFU, the Land Trust, the Woodland Trust and we are members of SPARSE. I would suggest that we have a very strong representation for and from the rural community, so in answer to your question I think that the answer has to be no.

Mr Brown asked the following supplementary question:

The reason why I asked the question was that the recent Defra figures showed that 550 people are directly employed in agriculture in Rutland and at least 50% of the farms would not be viable without the current level of support. So I disagree with Councillor Hemsley.

Mr Hemsley responded that we were well represented from the farming community and that if they all did their job properly there was no need for a Farming Champion.

iii. Miss Waller

Back in January when this Council approved the Homes Infrastructure Funding bid for the development at St George's the Leader assured members that should the bid be successful this Council would determine whether or not to accept the grant, after due consideration of the conditions attached to acceptance. This Council has been successful in its bid for Garden Communities Funding for St George's. Will the Leader assure us that it will be this Council and not cabinet or officers who will determine whether or not to accept the Garden Communities grant, after consideration of the conditions attached to it, especially as the total value of the St George's project, of which this grant is part, exceeds the £1m under which delegation of decision making takes place?

Response provided by Mr O Hemsley (Leader of the Council):

Thank you for the question Councillor Waller.

The Financial Procedure Rules (at paragraph 6.6) state:

"If the Council receives grant funding from Government or other sources, then acceptance of the terms of conditions is the responsibility of Cabinet (where the amount exceeds £1m acceptance will be for Council) unless, in the cases of emergency/short notice, the Council would be at risk of losing funding OR the amount of funding is less than £500k. In these cases, the Chief Executive, Leader/Portfolio Holder for Finance and Chief Finance Officer may agree to the acceptance of terms"

You will note that this decision could have been taken by officers. The officers and I decided that this should be taken through the Council's democratic decision making processes. As this amount is below £1m Cabinet is the correct place for this decision to be made.

I have taken advice from the Council's Monitoring Officer and Section 151 Officer on the issue of the delegation. Their advice is that it is the value of the grant and not the value of the project that determine where a decision is to be made.

We all agreed on these rules and work together on them as part of the Constitution Review Working Group.

A report dealing with this issue will be placed before Cabinet on 16th July and that report will be published tomorrow.

Miss Waller asked the following supplementary question:

We have heard a number of deputations regarding St Georges Barracks (SGB) this evening and there is clearly a feeling that decisions are being made by the few and not the many, is this not an opportunity for the Leader to recognise that as this grant is an integral part of the overall project, it should be considered as part of that project and therefore should be considered by Council in its entirety?

Mr Hemsley responded as follows:

The Chief Executive has spoken with officers from the Garden Communities Fund. Acceptance of the grant simply commits the Council to spend the funding this year on design work. Should the SGB project not proceed for whatever reason, the Council will not be required to repay the grant. Neither does the acceptance of the grant fetter any future decision the Council may make with respect to SGB. So I disagree that the decision should be made by Council, it should be made by Cabinet due to the value.

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At 19:55 the Chairman adjourned the meeting to allow Members of the public to leave the Council Chamber should they wish.

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The Chairman reconvened the meeting at 19:57.

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102 REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

No Committee decisions had been referred.

103 CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 9 MARCH 2019 TO 5 JULY 2019 (INCLUSIVE)

No call-ins were received.

104 REPORT FROM THE CABINET

Report No.101/2019 from the Cabinet was received, the purpose of which was to consider the recommendations referred to the Council for determination and report the Key Decisions made by Cabinet since the publication of the agenda for the previous ordinary meeting of the Council held on 11 March 2019.

Mr G Brown introduced and moved the recommendations in the report. Mr Hemsley seconded the recommendations.

During debate the following points were noted:

- i. Mr Cross congratulated the officers and relevant Portfolio Holders for the work that had gone into the Revenue and Capital Outturn Report and for ensuring that money had been spent wisely and savings made where possible.

RESOLVED

1. Council **NOTED** the Key Decisions made by Cabinet since the publication of the agenda for the previous ordinary meeting of the Council on 11 March 2019, as detailed in Appendix B to this report.
2. Council **APPROVED** the recommendations from Cabinet:
 - a) To set up 2 new reserves and amend the ceiling of 2 reserves as detailed in section 2.4 of Report No. 79/2019.

105 REPORTS FROM COMMITTEES OF THE COUNCIL

There were no reports from Committees of the Council.

106 REPORTS FROM SCRUTINY COMMISSION / SCRUTINY PANELS

The Scrutiny Annual Report 2018/19 (Report No. 104/2019) was **NOTED** by Council.

Mr Dale reported that attendance at the recent Adults and Health Scrutiny Committee meeting had been poor which had been disappointing especially because there had been an external presentation from Mr T Sacks, Chief Operating Officer of the Clinical Commissioning Group. Mr Dale urged members to attend Scrutiny meetings where possible and to find a substitution if they were unable to attend. All Members were welcome to attend Scrutiny Committee meetings.

Miss MacCartney requested an update from the Scrutiny Commission Chairman on the year ahead and the plan for this year's annual report.

Miss Waller confirmed that it was anticipated that the Centre for Public Scrutiny would be commissioned to do a review of Scrutiny at Rutland in the autumn and that the outcome of this review would form much of the content of this year's report.

107 JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

- i. Mr Bool - Combined Fire Authority
Mr Bool had circulated his report to members electronically.

- ii. Miss Waller - East Midlands Regional Scrutiny Network and East Midlands Councils Employment Board and Refugee and Asylum Seekers Board
Miss Waller had circulated notes to all members on these meetings.
- iii. Mr Oxley - Fair Trade Forum
Mr Oxley had missed the meeting as it had coincided with a Council meeting, but had met with the Chairman separately. Rutland had had Fairtrade status since 2007, but this was due for renewal and it was his intention to bring a question on this back to the next Council meeting.
- iv. Mr Lowe - Carlton Hayes Mental Health Trust
Mr Lowe had attended the first meeting and intended to give further details at forthcoming Council meetings. Mr Lowe urged members to put forward applications for funding if they were aware of someone who they thought might qualify, they could refer to the website or approach him to discuss.
- v. Mr Baines - SPARSE
Mr Baines intended to make a more detailed report to Cabinet on the meeting attended on 24 June 2019 where discussion took place on the Fairer Funding Review and the Report of the Select Committee.

108 APPOINTMENTS TO OUTSIDE ORGANISATIONS, WORKING GROUPS AND FORA

Mr Hemsley confirmed that the appointments to Safeguarding Boards were the relevant Portfolio Holders for Adults and Children and that each would act as the alternate for the other. Should neither be able to attend a meeting another Cabinet member would attend.

Mr Hemsley also asked members to put their names forward should they wish to take the vacant Rutland seat on the Rutland Access Group.

The Chairman asked for nominations for the vacant RCC Member seat on Rutland SACRE. Mr Hemsley nominated Mrs R Powell and Miss Waller seconded the nomination. As there were no further nominations, Mrs Powell was appointed to the vacant seat on Rutland SACRE for the 2019/20 Municipal year.

109 CRIMINAL RECORD CHECKS FOR MEMBERS

Report No. 93/2019 was received from the Strategic Director for People, the purpose of which was to advise Members of the DBS role in carrying out criminal record checks and how this aligns with the Council's Safeguarding policies and practices and to consider a proposal to undertake DBS checks for Members who hold specific roles and offices within the Council as outlined in the report.

Mr Wilby moved the recommendations in the report and provided a brief introduction clarifying that only members with specific responsibilities, as outlined on the report, would be required to have the Criminal Records check.

Mrs Stephenson seconded the recommendations in the report.

During debate the following points were noted:

- i. Miss Waller and Mr Baines agreed that the wording in section 4.5.4 and 4.5.5 of the report was ambiguous and required clarification. The Chief Executive confirmed that clarification would be provided outside of the meeting;
- ii. Mr Oxley expressed concern that information would be withheld from members of the Children and Young Persons Scrutiny Committee if they had not had the required checks. Mr Wilby confirmed that when sharing sensitive and/or confidential information it was always appropriate for it to be anonymised by redacting any information which was likely to reveal to identity of an individual. As information was protected in this way it could still be provided to Scrutiny Committee Members where appropriate;
- iii. Mrs Briggs, Chief Executive, also highlighted the importance of Data Protection when dealing with information regarding individuals;
- iv. Mrs Powell requested further guidance on contact with vulnerable people which might be made during councillor surgeries. Mr Wilby advised that a referral should always be made to the appropriate duty team should there be any concern regarding the safety of an individual. Mrs Briggs also confirmed that further guidance would be issued regarding Councillors lone working and personal safety.

RESOLVED

- 1) To **NOTE** the purpose and type of Criminal Record Checks through the Disclosure and Barring Service (DBS).
- 2) To **APPROVE** the proposal to carry out DBS Checks for Members undertaking specific roles - as outlined in paragraph 4.5 of Report No. 93/2019.
- 3) To **ADOPT** the policy for managing positive disclosures as outlined in Appendix A of Report No. 93/2019.
- 4) To **AUTHORISE** the Head of Human Resources to work with Members to carry out the DBS checking process.

110 EXCLUSION OF THE PUBLIC AND PRESS

Council resolved to exclude the public and press from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, and in accordance with the Access to Information provisions of Procedure Rule 239, as the following item of business was likely to involve the disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act.

111 APPOINTMENT OF INDEPENDENT PERSONS

Report No.100/2019 was received from the Monitoring Officer, the purpose of which was to recommend to Council that RCC appoints the Panel of Independent Persons established by the authorities listed. To delegate authority for the decision regarding which of the Independent Persons to use for Rutland Conduct matters to the Monitoring Officer and to note the intention to enter into a joint re-appointment process in relation to advertising and interviews in order to source another panel of Independent Persons.

Mr Hemsley moved the recommendations in the report. Mrs Stephenson seconded the recommendations.

During debate the following points were noted:

- i. Miss Waller had understood that the report was asking for a joint recruitment exercise but that once recruited there would be one Independent Person allocated to Rutland. Mr Horsfield, Monitoring Officer, clarified that Rutland would be able to draw from the whole panel and that this would be beneficial in circumstances where the Independent Person was accessed by the subject or complainant and as such became prejudiced from involvement in providing advice to the committee.

RESOLVED

- 1) To **APPROVE** the appointment of the Panel of Independent Persons established by Leicestershire Authorities in 2016 as detailed in the report;
- 2) To **APPROVE** the selection of appropriate Independent Persons from the Panel be delegated to the Monitoring Officer;
- 3) To **NOTE** that the existing appointments to the Panel are due to expire in May 2020 and that Rutland will join the combined recruitment exercise with the authorities listed in order to establish a new panel, subject to Council approval.

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Council resolved to return to public session.

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112 ANY URGENT BUSINESS

There was no other urgent business.

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The Chairman reminded Members that the Parish Council Forum would be held on Monday 15 July 2019 and that all Members were invited to attend.

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The Chairman declared the meeting closed at 8.30 pm.

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